

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

LORENZO ANTHONY,

Plaintiff,

CIVIL ACTION NO. 08-CV-11436

vs.

DISTRICT JUDGE DENISE PAGE HOOD

**BARBARA RANGER,
et al.,**

MAGISTRATE JUDGE MONA K. MAJZOUN

Defendants.

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**ORDER GRANTING DEFENDANTS' MOTION FOR LEAVE TO AMEND THE
ANSWER AND AFFIRMATIVE DEFENSES (DOCKET NO. 88)**

This matter comes before the Court on the Motion for Leave to Amend the Answer and Affirmative Defenses filed by Barbara Ranger and Thelma Williams. (Docket no. 88). The motion is unopposed. All pretrial motions have been referred to the undersigned for decision. (Docket no. 6). The Court dispenses with oral argument pursuant to E.D. Mich. LR 7.1(f). This matter is now ready for ruling.

Defendants Ranger and Williams seek an Order granting them leave to file an Amended Answer and Affirmative Defenses in order to add the affirmative defense of failure to exhaust administrative remedies as required by 42 U.S.C. § 1997e(a). Defendants contend that they filed this motion one day after this defense became known to them. Since discovery remains open and no trial date has yet been scheduled, Plaintiff will not be prejudiced by Defendants' amendment to their Answer and Affirmative Defenses. Federal Rule of Civil Procedure 15(a)(2) requires the Court to "freely give leave when justice so requires." The Court will grant Defendants' motion pursuant

to Rule 15(a)(2).

IT IS THEREFORE ORDERED that Defendants' Motion for Leave to Amend the Answer and Affirmative Defenses (docket no. 88) is **GRANTED**. Defendants will file and serve their Amended Answer and Affirmative Defenses no later than August 17, 2010.

NOTICE TO THE PARTIES

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of fourteen days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. § 636(b)(1).

Dated: August 12, 2010

s/ Mona K. Majzoub
MONA K. MAJZOUB
UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

I hereby certify that a copy of this Order was served upon Lorenzo Anthony and Counsel of Record on this date.

Dated: August 12, 2010

s/ Lisa C. Bartlett
Case Manager